

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR COUNTY OF KING

DEANA HOUGHTON

an individual,

Plaintiff,

vs.

SAFEWAY, INC.,

a foreign corporation,

Defendant.

No. 20-2-16594-8

COMPLAINT

COMES NOW Plaintiff DEANA HOUGHTON, by and through her attorney Christian Pearson of GAGLEY LAW GROUP LLP, and brings this Complaint against the named Defendant, SAFEWAY, INC., and alleges as follows:

I. PARTIES

1.1 At all times relevant hereto, Plaintiff DEANA HOUGHTON was a resident of King County, Washington.

COMPLAINT 1 of 5

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1 3.3 On or about February 3, 2020 at approximately 12:30 PM, Plaintiff stopped at the
2 Defendant store at 13013 Kent-Kangley Road in Kent, Washington to fill up her Suburban SUV
3 with gasoline. When Plaintiff exited her vehicle, there was a liquid, a mixture of diesel fuel and
4 oil, on the ground and on the pump. The mixture of fuel and oil on the pump was transferred to
5 Plaintiff's hands. As she returned to her vehicle cab to wipe her hands off, Plaintiff fell hard onto
6 the ground. When she went to replace the gas nozzle to the pump, Plaintiff fell again on the
7 slippery surface.
8

9 3.4 The area near the gas pump was hazardous as there was a mixture of fuel and oil
10 on the ground.

11 3.5 An attendant, an employee of Defendant, was on duty at the gas station at the time
12 of the incident.

13 3.6 The Defendant failed to take adequate steps to warn of a dangerous and unsafe
14 condition, and Defendant failed to remedy or make safe the dangerous condition.
15

16 3.7 As a result of Defendant's negligent failure to properly monitor the area around
17 the gas pumps and keep the ground free of slippery liquids, such as fuel and oil, Plaintiff sustained
18 injuries.

19 3.8 As a direct result of Defendant's negligent act, Plaintiff was forced to undergo
20 significant medical treatments and incurred significant medical expenses in an amount to be
21 proven at trial.
22

23 3.9 On or about February 3, 2020, Defendant's negligence was the proximate cause
24 of the incident which is the subject of this complaint.

4.1 Plaintiff re-alleges and incorporates by reference all preceding paragraphs as if fully restated herein.

4.2 Defendant had a duty to maintain safe walking areas near the gasoline pumps, free of slippery liquids such as fuel and oil, to allow patrons to have safe access to the pumps without danger of injury from slips and falls.

4.3 The Defendants knew or should have known that the area surrounding the gasoline pumps was an area of high traffic giving rise to a duty on the part of defendants to keep the area safe and not hazardous.

5.1 Plaintiff re-alleges and incorporates by reference all preceding paragraphs as if fully restated herein.

5.2 As a proximate result of the negligence of Defendant SAFEWAY, INC., Plaintiff DEANA HOUGHTON suffered severe personal injuries in such amount as shall be proven at the time of trial.

VI. RELIEF SOUGHT

WHEREFORE, Plaintiff respectfully request the following relief:

1. For general damages for pain and suffering, mental distress, and emotional anxiety, past, present, and future;
2. For special damages including all medical expenses incurred by Plaintiff in treatment for injuries resulting from the collision accident as well as future medical expenses and other items of special damages;
3. For special damage of the loss of income to Plaintiff and reduction in earning capacity, past, present, and future;
4. For pre-judgment interest at the statutory rate on all items of special damages including, without limitation, expenses of medical care and treatment;
5. For an award of attorney's fees and costs incurred herein;
6. For such other and further relief as the Court may deem just and equitable.

Respectfully submitted on this the 12th day of November, 2020.

GAGLEY LAW GROUP LLP



Christian Pearson
WSBA #: 55534
Attorney for Plaintiff